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September 28, 2011

VIA ECF AND REGULAR MAIL

Honorable Joseph A. Dickson, U.S.M.J.
United States District Court
District of New Jersey
Martin Luther King, Jr. Fed. Building and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

**Re: Emmanuel Otoigiakhi v. AAMCO Transmissions, Inc.
Civil Action No. 11-4620 (DMC) (JAD)**

Dear Judge Dickson:

We represent Defendant/Counterclaimant AAMCO Transmissions, Inc. ("AAMCO") in the above-referenced matter. I write, further to the terms of the Letter Order Pursuant to Rule 16 that Your Honor issued earlier today, (ECF No. 12), to advise the Court of AAMCO's pending Motion for a Preliminary Injunction. (ECF No. 6.)

AAMCO filed its motion on September 6, 2011, and that application is presently returnable on October 3, 2011. Pursuant to L. Civ. R. 7.1, Plaintiff was required to oppose AAMCO's motion, if at all, on or before September 19, 2011. To date, however, Plaintiff has not filed any response with the Court, save a letter to Judge Cavanaugh, dated September 22, 2011 (after Plaintiff's deadline to respond had expired), requesting an extension of Plaintiff's time to respond to AAMCO's motion through September 26, 2011. (ECF No. 8.)

AAMCO's motion seeks the entry of an Order prohibiting Plaintiff from, among other things: (1) utilizing the AAMCO trademarks; (2) operating the Center as an AAMCO; and (3) running a transmission repair business in or around the location where the Center was previously located. (See Proposed Order, ECF No. 6-7.) It is necessary and appropriate for this motion to be considered promptly, as Plaintiff's Franchise Agreement terminated as of early August, and despite that fact, Plaintiff continues to operate his business as an AAMCO facility today. Each day that passes causes further irreparable harm to AAMCO.

Thank you for Your Honor's attention to this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert C. Brady".

Robert C. Brady

cc: Michael R. Speck, Esq. (via ECF and regular mail)
Timothy J. Duva, Esq. (via e-mail)